Remarks

In the present application, claims 10, 12-13 and 37-62 are pending. Claims 10, 12-13 and 37-62 are rejected. Claims 1-9, 11 and 14-36 have been previously canceled.

Amendment to the Claims

Claims 10, 12-13, 37, 42-48 and 50-62 are amended with merely clarifying amendments. Support for these clarifying amendments may be found throughout the specification, for example, claim 41, as previously presented; and claim 1, as originally filed ("a reminder item stored in a memory").

Claim 41 is canceled without prejudice or disclaimer.

No new matter is added.

Claim Rejections - 35 U.S.C. § 102(e)

The Examiner has rejected claims 10, 12-13, 37 and 40-62 under 35 U.S.C. § 102(e) as anticipated by Matsumoto et al. (U.S. Patent No. 7,440,748), herein Matsumoto. The Applicant includes the following comments to clearly distinguish the claimed invention over the art cited by the Examiner, and respectfully requests a favorable reconsideration of claims 10, 12-13, 37 and 40-62.

These rejections are respectfully disagreed with, and are traversed below.

For a claim to be anticipated, each and every non-inherent limitation must be disclosed in a single reference, in accordance with MPEP Section 2131.

Regarding claim 10, which recites:

"A method comprising:
in operating a mobile communications device, receiving a request to create a reminder item;
in response to receiving the request, receiving a selection of a recipient of the reminder item, receiving a note and **receiving a selection of a <u>trigger application on a device of the recipient</u> which is to trigger an output of the note <u>at the device of the recipient</u>, where the selected trigger application is one of a <u>plurality</u> of user selectable trigger applications;**
generating the reminder item comprising an indication of the trigger application, the note and an indication of the recipient; and

sending the reminder item to the recipient where the recipient is remote from the mobile communications device" (emphasis added).

The Examiner asserts that Matsumoto teaches "receiving a selection of a trigger application which is to trigger the reminder (col. 2 lines 35-53)".

Consider the disclosure of Matsumoto:

> "With this construction, **when the user calls back** to the party **or receives a call** from the party, the telephone notifies the user of the information, which enables the user to easily convey the information without omission.
>
> That is, **when making a phone call**, the user can be notified of the information simply **by performing normal calling process**. Therefore, without the need for extra operations, every user can easily recognize the information to be conveyed and convey the information without omission.
>
> (2) The above telephone (1) further may include a reception unit for, when receiving the call from the party, receiving a signal including the telephone number of the party as well. Here, the notification unit recognizes the telephone number of the party based on the received signal and performs the notification when the reception unit receives the signal.
>
> With this construction, the telephone number of the party who calls to the user can be recognized, so that the notification is performed" (col. 2, lines 35-53, emphasis added).

> "FIG. 6 is one example of the standby screen, which is displayed by the display unit 108 in the notes input procedure, for waiting the input from the user. On the screen, **the telephone number**, the name, and the message for the user to **make a choice about whether to write down the notes or not**, and the **section for writing the subject of notes** are provided.
>
> FIG. 7 is another example of the standby screen. On this screen, the **telephone number** and the name are provided like FIG. 6. Instead of the section for writing the subject of notes as in FIG. 6, items such as "Re waiting time" which is **predetermined options as the subject of notes** are provided. These options are surrounded with a box for allowing the user to select one of them.
>
> These options saves the user from having to input texts one by one" (col. 9, lines 35-49, emphasis added).

As disclosed, options are presented to save "the user from having to input texts one by one"; however, there is no disclosure or suggestion that different applications are available "to trigger an output of the note" in the "reminder item". Nor is there disclosure or suggestion that the application "to trigger an output of the note" is "one of a plurality of user selectable trigger applications". Rather, Matsumoto clearly shows both note entries are associated with a

"telephone number" and "the user can be notified" "when the user calls back to the party or receives a call from the party".

Further, Matsumoto allows for "writing the subject of notes" or "options as the subject of notes". Clearly, the "subject of notes" is not analogous to a "trigger application which is to trigger an output of the note" as in claim 10.

In the Response to Arguments section, the Examiner references "(col. 15, line 19-col. 15, line 22)" of the instant application. It is noted that this section teaches "how the phone operates to announce a reminder" and therefore may not relate perfectly to "generating the reminder item" or to "receiving a selection of a trigger application on a device of the recipient" for use when "generating the reminder item".

The Examiner also argues that Matsumoto teaches "if the communication cannot be established, user selected trigger applications (see fig. 4 step 108, and 110)". As disclosed "the notepad control unit 113 displays the calling telephone number and a screen for accepting input of the subject of notes which should have been conveyed (Step S107) so as to inquire of the user whether the user wishes to write down the subject of notes on the screen (Step S108)" (see col. 8, lines 46-54). Thus, step S108 is invoked "if the communication cannot be established". It is unclear which "application" is deemed as a "trigger application".

Additionally, as disclosed, "In the step S108, if accepting the instruction to write down the subject of notes, the notepad control unit 113 has the display unit 108 display a screen for accepting the input of the subject of notes" (see col. 8, lines 55-63). Thus, as disclosed, S108 allows a user to "input the subject of notes". Therefore, S108 does not "trigger an output of the note" since the user has yet to provide input.

Matsumoto discloses "the notepad control unit 113 has the display unit 108 display a message for inquiring of the user whether the user wishes to send e-mail (Step S110)" (see col. 8, line 64 – col. 9, line 3). Thus, S110 (which is invoked after S108) asks if the user "wishes to send e-mail". It is unclear how this is deemed analogous to "a trigger application on a device of the recipient which is to trigger an output of the note at the device of the recipient". What is deemed to teach the "trigger application"? Where is the "note" output? How does Matsumoto indicate which "application on a device of the recipient" is the "trigger application"?

Furthermore, as S110 is invoked after S108 it is unclear how a user would make a selection of either one. According to Matsumoto both would occur as shown in Figure 4. Therefore, it is unclear what benefit would be gained by selecting one even if it were possible. As described, S108 and S110 are performed on the device "making a phone call" (e.g., the "mobile station 100" of the "user"). Therfore, the applications on the device "making a phone call" which are used are not "trigger application of a device **of the recipient**". Clearly, neither S108 nor S110 disclose or suggest "a selection of a trigger application of a device of the recipient"

Additionally, the Examiner asserts that Matsumoto teaches "sending the reminder to the recipient where the recipient is remote from the mobile communications device (see fig. 4 steps 110-111".

Consider the disclosure of Matsumoto:

> "Following this, the notepad control unit 113 has the display unit 108 display a message for **inquiring of the user whether the user wishes to send e-mail (Step S110)**. If receiving an instruction not to send e-mail from the input acceptance unit 101, the notepad control unit 113 has the general control unit 104 display a standby screen (Step S112) to complete the procedure...
> On the other hand, if receiving an instruction to send e-mail from the input acceptance unit 101, the notepad control unit 113 **transmits the subject of notes to the e-mail address** indicated in the personal information associated with the subject of notes (Step S111) and then has the general control unit 104 display the standby screen (Steps S112) to complete the procedure." (col. 8, line 64 – col. 9, line 19, emphasis added).

Thus, as disclosed, Matsumoto teaches transmitting "transmits the subject of notes" to an "e-mail address". Therefore, Matsumoto teaches sending an "e-mail". However, an "e-mail" is not analogous to a "reminder item" as in claim 10. For example, as claimed, a "reminder item" includes "a note" **and** "an indication of the **trigger application**" "which is to trigger an output of the note". Clearly, there is no disclosure or suggestion that the "e-mail" includes an "an indication of the **trigger application**". Nor is there an indication as to what part of the "e-mail" may be interpreted as "an indication of the trigger application".

Assuming, arguendo, that the "e-mail" is to be opened using an e-mail client (which the Applicants do not so assert is disclosed or suggested), the e-mail client does not "**trigger** an output of the note", rather, the e-mail client is used to access the message of the "e-mail".

There is no disclosure or suggestion regarding a "trigger application" which "triggers" the "e-mail" to be "output". Clearly, an "e-mail" is not analogous to a "reminder item" which includes 1) "an indication of the trigger application", 2) "the note" **and** 3) "an indication of the recipient".

Therefore, Matsumoto does not disclose or suggest "sending the **reminder item** to the recipient where the recipient is remote from the mobile communications device" as in claim 10.

As Matsumoto does not disclose or suggest all elements of claim 10, Matsumoto does not anticipate claim 10. For at least this reason, claim 10 is in condition for allowance.

As claims 51 and 59 recite similar language to that discussed above with reference to claim 10; claims 51 and 59 are likewise in condition for allowance.

Regarding claim 43, which recites:

"A method comprising:
in operating a mobile communications device, receiving, from a remote device, a received reminder item comprising **a note**, an **indication of a trigger application on the mobile communications device which is to trigger an output of the note at the mobile communications device** and an **indication of the mobile communications device**, where the remote device is remote from the mobile communications device and where the indicated trigger application is **one of a plurality of selectable trigger applications;**
in response to receiving the received reminder item, **determining whether the received reminder item is compatible with capabilities of the mobile communications device;**
in response to determining that the received reminder item is compatible, associating the received reminder item with the trigger application and storing the received reminder item in a memory" (emphasis added).

The Examiner asserts that Matsumoto teaches "a received reminder comprising an indication of a trigger application and an indication of the mobile communications device number (col. 9 lines 21-25, received communication data from outside the mobile station and recognizes the telephone number of the sender on the basis of the information indicating the telephone)".

13

Consider the disclosure of Matsumoto:

> "The transmission/reception unit 105 **receives communication data** such
> as sounds, images, and texts transmitted from the outside to the mobile station
> 100 (Step S201). Then, the transmission/reception unit 105 **extracts and
> recognizes the** **telephone number** **of the sender** on the basis of the
> information indicating the telephone number which is included in the
> communication data (Step S202), refers to the table 200 recorded in the
> recording unit 109 to judge whether the personal information concerning the
> telephone number includes the subject of notes (Step S203). If the personal
> information includes the subject of notes, the transmission/reception unit 105
> has the **display unit 108 display it** (Step S204), has the general control unit
> 104 conduct the incoming procedure (Step S205) to complete the procedure"
> (col. 9, lines 21-34, emphasis added).

Assuming, arguendo, that "the telephone number of the sender" is analogous to "an
indication of the mobile communications device number" (which the Applicant does not so
assert), there is no disclosure or suggest regarding "an indication of a trigger application **on
the mobile communications device**" "which is to trigger an output of the note at the mobile
communications device". While Matsumoto describes "communication data such as sounds,
images, and texts", there is no disclosure or suggestion that such "communication data"
includes "an indication of a trigger application on the mobile communications device". It is
unclear what "application" "on the mobile communications device" may be indicated that
would "trigger" outputting of a "note" included in a "reminder item".

Furthermore, since Matsumoto does not disclose or suggest "an indication of a trigger
application on the mobile communications device" it is unclear how the "telephone number
of the sender" may be deemed as an "application" or "one of a plurality of selectable trigger
applications". Likewise, it is unclear what other "selectable trigger applications" are deemed
as part of the "plurality".

As seen above, Matsumoto teaches a "user can be notified" "when **the user calls back** to
the party or **receives** a call from the party". Thus, there is no need to indicate "a trigger
application on the mobile communications device" as the user is notified when the user
"calls" or "receives a call".

Additionally, as the same "user" created the "note" upon failing to have the "call get through" (see Figure 4, S106), it is unclear how the user-generated "note" is deemed analogous to a "**received** reminder item" which is received "from a remote device".

Clearly, Matsumoto does not disclose or suggest "a **received** reminder item comprising a note, an indication of a trigger application on the mobile communications device which is to trigger an output of the note at the mobile communications device **and** an indication of the mobile communications device" or that "the indicated trigger application is **one of a plurality** of selectable trigger applications" as in claim 43.

Additionally, the Examiner asserts that Matsumoto teaches "determining whether the received reminder is **compatible with capabilities of the mobile communications device** (col. 9 lines 4-10)".

Consider the disclosure of Matsumoto:

> "If the personal information corresponding to the calling telephone number **does not include an e-mail address**, the notepad control unit 113 does not have the display unit 108 display the message concerning the e-mail transmission, but conducts the procedure for displaying the general control unit 104 display the standby screen to complete the procedure (i.e., Step S112)" (col. 9, lines 4-10, emphasis added).

As described, the "notepad control unit 113" checks if the "personal information" includes "an e-mail address". It is unclear what is interpreted as analogous to "capabilities of the mobile communications device" which are determined to be "compatible". Rather, Matsumoto checks to see if an "e-mail address" is available before displaying a message regarding "e-mail transmission". Clearly, Matsumoto does not disclose or suggest "in response to receiving the received reminder item, determining whether the received reminder item is compatible with capabilities of the mobile communications device" as in claim 43.

As Matsumoto does not disclose or suggest all elements of claim 43, Matsumoto does not anticipate claim 43. For at least this reason, claim 43 is in condition for allowance.

As claims 55 and 61 recite similar language to that discussed above with reference to claim 43; claims 55 and 61 are likewise in condition for allowance.

Claims 12-13, 37, 40-42, 44-50, 52-54, 56-58, 60 and 62 depend upon claims 10, 43, 51, 55, 59 and 61. For at least this reason, they are likewise in condition for allowance.

Regarding claim 12, the Examiner asserts that Matsumoto teaches "displaying a list of applications which may be selected as the trigger application which is to trigger the reminder (col. 7 lines 42-45)". Consider the cited disclosure:

> "That is, when the checking unit 112 inputs the personal information, i.e., the user gets a phone call, the notepad control unit 113 **outputs the telephone number, the name, and the subject of notes** included in the inputted personal information to the display unit 108, while **outputs a signal for vibrating** the vibrator 111 for 10 seconds from the time when the communication has been established" (col. 7, lines 42-48, emphasis added).

The cited portion discloses two outputs: 1) "the telephone number, the name, and the subject of notes" and 2) "a signal for vibrating the vibrator". There is no disclosure or suggestion regarding "displaying a list of **applications**". It is unclear what is interpreted as analogous to the "list of applications" or a "trigger application" being displayed. Clearly, Matsumoto does not disclose or suggest "displaying a list of applications which may be selected as the trigger application" as in claim 12.

Regarding claim 37, the Examiner asserts that Matsumoto teaches "receiving a selection of at least one application specific parameter, where an application specific parameter is one of: a resource address, a device setting associated with the trigger application and an application sub-routine of the trigger application... (see fig. 3)". As described, Figure 3 shows a "table" with 4 columns: "telephone numbers", "names corresponding to the telephone numbers", "e-mail addresses corresponding to the telephone numbers" and "subjects of notes" (see col. 8, lines 1-17).

The "telephone numbers", "names", "e-mail addresses" and "subjects of notes" are not analogous to either "a resource address", "a device setting" or "an application sub-routine". Clearly, Matsumoto does not disclose or suggest "receiving a selection of at least one

application specific parameter, where an application specific parameter is one of: a resource address, a device setting associated with the trigger application and an application sub-routine of the trigger application" as in claim 37.

Regarding claim 40, the Examiner asserts that Matsumoto teaches "the trigger application is one of: a gaming application and a web browsing application (col. 1 lines 50-53)". Consider the cited disclosure:

> "Note here that, in the case that the party has a personal computer **having access to the Internet connections** or a mobile station **equipped with the e-mail function**, the user can simply transmit the above recorded e-mail to the party. However, even though personal computers and mobile phones recently spring into wide use, the ownership rate of normal wired telephones is still more than that of these devices. Therefore, it can be considered that there still remains many cases which require the above-mentioned countermeasure for taking notes, for instance, when making a phone call to the party who possesses a normal telephone only or when the caller has to directly talk with the party" (col. 1, lines 50-61, emphasis added).

As described, "a personal computer" can have "access to the Internet connections" or "a mobile station" may be "equipped with the e-mail function". However, there is no disclosure or suggestion that a "trigger application" ("which is to trigger an output of the note at the mobile communications device") is "a gaming application" or "a web browsing application". It is unclear where is it suggested that Matsumoto teaches "access to the Internet connections" or "equipped with the e-mail function" is used as a "trigger application" "to **trigger** an output of the note at the mobile communications device".

Regarding claim 45, the Examiner asserts that Matsumoto teaches:

> "in response to receiving the confirmation, **displaying the <u>received</u> reminder** and requesting **approval for the received reminder <u>to be used</u>,** where associating the received reminder with the trigger application and **storing the received reminder** in the memory is only performed in response to the approval being received (see figs 6-7)".

Consider the disclosure of Matsumoto:

> "FIG. 6 is one example of the **screen,** which is displayed by the display unit **in the notes input procedure**; and

FIG. 7 is another example of the **screen** which is displayed by the display unit **in the notes input procedure**" (col. 4, lines 54-57, emphasis added).

"FIG. 6 is one example of the standby screen, which is displayed by the display unit 108 in the notes input procedure, for waiting the input from the user. On the screen, the telephone number, the name, and the message for the user to **make a choice about whether to write down the notes or not**, and the section for writing the subject of notes are provided.

FIG. 7 is another example of the standby screen. On this screen, the telephone number and the name are provided like FIG. 6. Instead of the section for writing the subject of notes as in FIG. 6, items such as "Re waiting time" which is **predetermined options as the subject of notes** are provided. These options are surrounded with a box for allowing the user to select one of them.

These options saves the user from having to input texts one by one" (col. 9, lines 35-49.

As disclosed, Figures 6 and 7 are used "in the notes input procedure" and allow the user to "write down the notes". However, there is no disclosure or suggestion regarding a "received reminder item" ("from a remote device") is displayed. Rather, "the telephone number, the name, and the message" are shown in order to allow the user an option "to write down the notes or not".

Likewise, there is no disclosure or suggestion regarding "requesting approval for the received reminder item to be used" and "storing the received reminder item in the memory is only performed in response to the approval being received".

The Examiner is respectfully requested to reconsider and remove the rejection under 35 U.S.C. § 102(e) based on Matsumoto, and to allow claims 10, 12-13, 37 and 40-62.

Claim Rejection - 35 U.S.C. § 103(a)

The Examiner has rejected claims 38-39 as being unpatentable under 35 U.S.C. 103(a) over Matsumoto in view of Mathew et al. (U.S. Patent Publication No. 7,484,213), herein Mathew. The Applicant includes the following comments to clearly distinguish the claimed invention over the art cited by the Examiner, and respectfully requests a favorable reconsideration of claims 38-39.

These rejections are respectfully disagreed with, and are traversed below.

The Examiner is respectfully reminded that, in accordance with the MPEP, the Examiner bears the initial burden of factually supporting any prima facie conclusion of obviousness. The key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. The Examiner must ascertain the differences between the claimed invention and the prior art. However, the gap between the prior art and the claimed invention may not be so great as to render the claim nonobvious (see MPEP § 2141-2142).

As seen above, Matsumoto does not disclose or suggest claim 10. As claim 10 is allowable over Matsumoto then all claims that depend from claim 10 should also be allowable over Matsumoto, whether considered alone or in combination with other art cited as applied by the Examiner. Further, the addition of the disclosure of Mathew to Matsumoto (without admitting that such combinations are suggested or technically feasible), would not cure the deficiencies in the disclosure of Matsumoto. For at least this reason, claims 38-39 are in condition for allowance.

In light of the discussion above, the Applicant respectfully asserts that a prima facie case for obviousness was not presented as required. As such, the Applicant respectfully requests that the Examiner reconsider and withdraw these rejections to claims 38-39.

For the foregoing reasons, the Applicant believes that each and every issue raised by the Examiner has been adequately addressed and that this application is in condition for allowance. As such, early and favorable action is respectfully solicited.
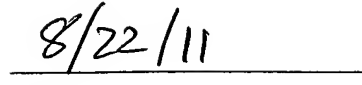
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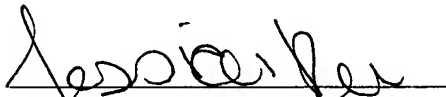
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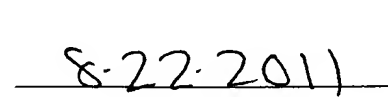
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